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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Barbara Hubbard,

Case No. 08 cv 471 (JAH LSP)

Plaintiff,

v.

C.V. Center, Inc.; Jamba Juice Company dba Jamba Juice #603; Casual Dining Services, Inc. dba Pizzeria Uno; Mervyn's, LLC; Starbucks Corporation dba Starbucks Coffee #6632; J.C. Penney Company, Inc. dba J.C. Penney #1274; Serler, Inc. dba Subway #31595; Manna Development Group, LLC dba Panera Bread Café #4284,

DEFENDANT CASUAL DINING INC.'S NOTICE OF MOTION AND MOTION TO DISMISS

FRCP § 12; 28 U.S.C. §1367(c)

Judge: Hon. John A. Houston
Room: 11
Date: June 9, 2008
Time: 2:30 P.M.

Defendants.

TO PLAINTIFF AND HER ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that on June 9, 2008 at 2:30 P.M., in Court Room 11 of the above entitled court, located at 940 Front Street, San Diego, California, Defendant CASUAL DINING SERVICES, INC. dba PIZZERIA UNO (hereinafter referred to as "defendant"), responds to the Complaint of BARBARA HUBBARD, (referenced as "plaintiff") by moving the Court to Dismiss plaintiff's state law claims in the lawsuit for all of the reasons set forth in 28 U.S.C. § 1367(c). Defendant requests that its Motion be granted to each cause of action without leave to amend.

1 This Motion is based on this Notice of Motion, the Memorandum of Points and
2 Authorities in Support hereof, any declarations or evidence filed prior to the hearing, the
3 pleadings, records and files of the federal court system, and evidence and oral
4 argument presented at the hearing on the Motion.

7 | Date: May 9, 2008

NORTON ADAMS & DOWNEY LLP

By: s/William A. Adams
William A. Adams
Attorneys for Defendant
CASUAL DINING SERVICES, INC.